



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**July 11, 2018 7:00 PM**

Council Chambers | Novi Civic Center  
45175 W. Ten Mile (248) 347-0475

## CALL TO ORDER

The meeting was called to order at 7:00 PM.

## ROLL CALL

**Present:** Member Anthony, Member Avdoulos, Member Greco, Member Lynch, Member Maday, Chair Pehrson

**Absent:** Member Howard (excused)

**Also Present:** Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Darcy Rechtien, Staff Engineer; Thomas Schultz, City Attorney; Beth Saarela, City Attorney; Peter Hill, Environmental Consultant; Maureen Peters, Traffic Consultant; Doug Necci, Façade Consultant

## PLEDGE OF ALLEGIANCE

Member Lynch led the meeting attendees in the recitation of the Pledge of Allegiance.

## APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Avdoulos.

## VOICE VOTE TO APPROVE THE JULY 11, 2018 AGENDA MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

**Motion to approve the July 11, 2018 Planning Commission Agenda. *Motion carried 6-0.***

## AUDIENCE PARTICIPATION

Eleanor Thompson said I've lived in Willowbrook Sub 3 for 47 years. I've seen a lot of changes. I have two quick things. One is that we want the bus system here in Novi, the transit system. We don't need it. I don't want to pay for it. I pay for a zoo I no longer use, I'm 73. I pay for the art building that I don't need. And I did see an article in the Free Press not too long ago, they interviewed some young people having to come out here for jobs. Years ago when the A&P and Farmer Jack were here, I didn't have a car. I was a housewife, I didn't work. So I put my daughter in the stroller and we went up to the grocery store. We walked in the dirt, we walked in the gravel, and it didn't hurt us. I do not want to pay for any bus system out here. And this Adell Center – let's get some of the other stuff that's open, empty for a long time, filled up. Let's let that go back to grass like it used to be in the olden days. Novi Road is busy now, can you imagine what Novi Road is going to be like that again? That's my opinion. Thank you very much.

## **CORRESPONDENCE**

There was no correspondence.

## **COMMITTEE REPORTS**

There were no Committee Reports.

## **CITY PLANNER REPORT**

There was no City Planner Report.

## **CONSENT AGENDA**

There were no items on the consent agenda.

## **PUBLIC HEARINGS**

### **1. NOVI TECH CENTER 6 & 7 JSP 17-86**

Public hearing at the request of Hillside Investments for Special Land Use, Preliminary Site Plan, Woodland Permit, and Stormwater Management Plan approval. The subject parcel is located in Section 24 east of Seeley Road and north of Grand River Avenue. It is approximately 8 acres and zoned I-1 (Light Industrial). The applicant is proposing to build two 24,861 square foot office/warehouse buildings for a total of 49,722 square feet with associated site improvements.

Planner Bell said the applicant is proposing to construct two 24,861 square foot office/warehouse buildings along with associated site improvements. The site is estimated to be 8 acres and located in Section 24, east of Seeley Road and north of Grand River Avenue.

The subject property is currently zoned I-1, Light Industrial. The properties to the east, west, and south are also zoned I-1, Light Industrial. The property to the north is zoned MH, Mobile Home District and is the location of the Highland Hills Estates community. The Future Land Use Map indicates Industrial, Research, Development, and Technology for the subject property and for the properties to the east, west, and south. The properties to the north are planned for Manufactured Home Residential.

The western half of the site contains City regulated woodlands. Of a total 326 trees surveyed on site, 198 were determined to be regulated. The proposed site plan indicates 150 regulated trees to be removed or about 75%. These would require a total of 292 replacement credits. The applicant is currently proposing to plant approximately 150 of them on site and to pay into City tree fund for the remaining. The applicant has indicated they are willing to protect the 48 preserved trees and replacement woodland trees in a conservation easement.

Planner Bell said the proposed project would connect to the existing Novi Tech Center off of Grand River to the east through an access drive. Another driveway would be located off of Seeley Road to the west. The site plan shows a total 49,722 square feet of office/warehouse buildings, 184 parking spaces, 9 bicycle parking spaces, loading/unloading docks, stormwater management pond and dumpster. The loading/unloading docks are located on the south side of the buildings to limit truck traffic on the north side of the building; moving the activity away from the residential area.

The office/warehouse use requires a special land use permit when adjacent to residential, subject to the conditions listed in your motion sheet.

The applicant is seeking five waivers from the Planning Commission: Deficiency of the required 10-15 feet landscaped berm between industrial and residential uses. The applicant has revised the berm to preserve the trees on the western north property line and proposed an 8 foot berm to the east of the woodlands ending at the stormwater management pond, approximately 650 feet in length. Waiver for the deficiency in percentage of building frontage with foundation landscaping on the south sides of both buildings, which is supported by staff because the presence of the loading areas is not conducive to planting. Waiver for use of evergreen species for greater than 30% of woodland replacement trees due the desire for more opaque screening for the residential community to the north. Waiver to allow 40 of the proposed evergreens to count as 1:1 woodland replacement credits, rather than the 1.5 required by the Woodland Ordinance. Waiver for driveway spacing between proposed driveway and the driveway to the south (within 125 feet). Staff determined that the driveway location was necessary to avoid greater impacts to woodland trees and to keep the traffic away from the residential district to the north.

In addition to the Planning Commission waivers, the applicant is also requesting a ZBA variance for a 45 foot deficit in the 100 foot required parking setback when adjacent to residential, as well as a variance for accessory structures (transformer and dumpster enclosure) located on the south side yard rather than in the rear yard.

Landscape and Woodland reviewers are in agreement that the quality woodlands that would be destroyed if replaced by the required berm on the northwest end of the site is not necessary to create screening of the buildings which will be located further to the east. The berm that is now proposed would extend approximately 650 feet between the woodland area preserved on the west and the stormwater management pond on the east. The berm would be eight feet in height along the north side of the property.

Planner Bell said the applicant has been working with the owner of the Highland Hills Estates mobile home community in order to come to an agreement on the buffer and screening for their residents. The adjacent property owner would prefer to have a six to eight foot screening fence located on the property line rather than on top of the berm, as had been suggested by staff to create additional height on the eight foot berm. They have also requested additional evergreen trees be planted on top of the berm to create additional height. The applicant has agreed to this, and plans to plant about 40 additional evergreens on the berm. However, the applicant would like to request a Planning Commission waiver to allow those evergreens to be counted as 1:1 woodland replacement credits. This would bring their total credits planted on site to 164 rather than 150 if they are counted as 1.5:1 as the Woodland Ordinance requires. Staff is not in support of this deviation from the Ordinance. Staff does support allowing more than 30% of the replacement tree credits to be evergreens since there is a desire by the residents to the north for opaque screening year-round. Both of these waivers appear in your draft motion, subject to your consideration.

The facades of the two buildings are in full compliance with the façade ordinance.

The applicant has worked with the City's Landscape Architect to provide the appropriate

number of parking lot perimeter trees as well as the alternate screening of the residential property to the north, so Landscape now recommends approval of the Preliminary Site Plan with the waivers as noted.

The reviewers are all recommending approval with additional items to be addressed with final site plan submittal.

Planner Bell said the Planning Commission is asked tonight to hold the required public hearing for the Special Land Use permit, Preliminary Site Plan, Woodland permit, and Stormwater Management Plan. The applicant Dave Hardin from Hillside Investments is here tonight to tell you more about the project. Staff and consultants are here to answer any questions you may have.

Dave Hardin, development manager with Hillside Investments, said as Lindsay said, Hillside Investments is the current owner of the Novi Tech Center to the east and to the south of this development. Novi Tech Center is arguably one of, if not the best property in our portfolio; we've had tremendous success with our tenants over the years. We have tenants such as Sony, Mitsumi, TIA, WTI, GCOM, and Prestige Portraits. A number of these tenants have expressed their desire to expand their operations and they've asked us to consider either expanding their space or constructing a new facility, and with that we turned to this eight acre parcel to build a new facility for GCOM and another outside tenant, SuedeLock.

As mentioned, we do plan to construct two approximately 25,000 square foot buildings on site. The materials are on the board in front of you; it will be a lighter gray brown color brick, white split face block band accents at the front, and then a white smooth face block at the back.

Our site strategy was kind of a challenge on this site given the narrow nature of the lot, the residential development to the north, the woodlands that we wish to preserve as much as possible to the west, and the need for the detention basin to be located in that northeast corner. But I think we tried to locate what we'll call the front of the buildings near the residential and keep some of the truck traffic to the south and screen as heavily as possible. We've also agreed to locate a "No Left Turn" sign at the entrance off of Seeley Road so that the trucks must remain on the south side of the buildings to keep them away as much as possible from the residential development to the north.

Mr. Hardin said as Lindsay had mentioned, we have been working quite well with the neighboring property owner to the north; we've been sort of negotiating how this berm looks to provide adequate screening. I think we've come to an agreement that is mutually beneficial to us both and we will continue to work together now until the end of construction. If you have any questions, I'm here to answer them.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Judith Pronk, 40364 Washington Street, said I live in Highland Hills. I moved there when my mother was still alive, she's now deceased. I'm still there, and I've seen where this is a plan in the future. But the roadway, Seeley and Eleven Mile, because of the traffic on Grand River, has been just terrible. People come speeding down there, now I'm thinking if there's

an office building there, how are over 100 residents going to get out of Highland Hills? And how are the Police going to keep the roads from getting blocked up all the time? They cut from Grand River, go down to Eleven Mile, to Meadowbrook. And I have to stop and let all this traffic go by now because they're speeding through there. It's very residential, it's quiet.

What about the creatures that would be coming out of those woods? Rats, mice, whatever. Another neighbor had mentioned that to me, so I thought I'd bring it up. I mean, it's kept up nice. The owners of Highland Hills have kept that beautifully kept up, and I'd like to see that kept up. But with those office buildings being there, it will make it something that it's not been and it's set aside from everything. But if you ever take a ride through there, you'll see how beautiful it is.

And I'd just like to see how you can put those office buildings there and have the traffic go at 30 miles per hour, not at 40 or 50 like they're doing now, how to keep it in a quiet, calm area. I see the police coming through every once in a while and that's great, but they'll have to be there all the time. And I just wanted to state my viewpoint on it. It's not to keep the office buildings from being there, but the traffic. When are people going to be able to get out of Highland Hills? I just thought I'd respectfully request to speak my peace. Thank you.

Paul Grougan said I own the property immediate south to this property. We share a fence line the entire length of the property. The fence line is in poor shape, I don't see anywhere in the plans addressing that joint plot line. The property immediately to the south is for sale currently, and we're working on trying to clean up the property for sale of the property. So we need to address, I guess, what is going to happen. Right now, basically the trees are holding up the fence line. Once they start taking trees down, the fence line will come down with it so we need to address that.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he said I think we have some correspondence.

Member Lynch said yes, we do. The first one is from Marcella Peltier, 40130 Washington Street, she has concerns that the office building will make the place look like a slum area and concerns about the noise. The next one is from Cindy Uglow, 40348 Washington Street, an objection with a number of attached documents. The primary concern is speeding. The next one is in support, Matthew Collins, 25555 Seeley Road, and a support from Matthew Collins, 25701 Seeley Road.

Chair Pehrson closed the public hearing and turned it over to Planning Commission for consideration.

Member Anthony said it's always difficult when we have a property that is directly adjacent to residential in how to handle the transition. And you can see we often have other issues such as the landscaping and traffic. So my first question is actually to our staff. Darcy, in the traffic study that was done for this site, can you share a summary on that traffic study?

Staff Engineer Rechten said your question might be better directed to our Traffic

Consultant, who is here tonight.

Traffic Consultant Peters said so the traffic generated from this site didn't warrant a study to be developed for it specifically. The volumes did not meeting the thresholds, I don't believe. I don't have my notes right in front of me but that's my recollection, so I don't believe the volumes are going to be high enough to warrant the need for a study in the area.

Member Anthony said ok. So, how many parking spaces are for this site?

Planner Bell said 184 parking spaces are proposed.

Member Anthony said and this development will egress onto Seeley Road and the secondary egress is onto which road?

Staff Engineer Rechten said to the east to the existing Novi Tech Center, which goes down south to Grand River.

Member Anthony said good, ok. Actually, I'm very familiar with this area as it's on my daily walk. And the Highland Hills does egress onto Seeley Road at two locations, both on Harrison Street and on Washington Street. So what we're looking at is Seeley Road handling the traffic. So when you look at the number of parking spaces in that building, just to get an idea on traffic, you look at Seeley Road. So in your professional opinion, that's very light traffic for Seeley Road?

Traffic Consultant Peters said correct. If you look at the peak periods for volumes when traffic will enter and exit, it's not anticipated to be a dramatic impact on that road at those peak periods.

Member Anthony so really where we would see any impact, if any, is the corner of Seeley and Grand River? But traffic would also be able to go north towards Eleven Mile, and then they could exit onto Meadowbrook. And that seems like a pretty wide area for moving traffic, as well. So when I look at this, and being familiar with it, and with your professional opinion, it seems to be consistent with just an intuitive look at it – with Meadowbrook and Eleven Mile being able to handle traffic for the egress, and then also Seeley down to Grand River. And then during rush hour, Seeley down to Grand River will be tight but I think they'll be able to egress fine up on Meadowbrook Road where there is a light. Alright, that satisfies my concern with traffic.

My next concern, and the part when I first came in here today that I was most concerned about, is the screening – so the screening between both the development and the mobile home park. So when I look at the screening and then I saw deviations so I started to get a little concerned, but if I understand this correctly the deviations were because of negotiations with the neighbor and in complying with the neighbor. Can you share a little bit of that with us, Lindsay?

Planner Bell said that's right. So the deficiency in the berm height – the Ordinance calls for a ten to fifteen foot berm height. Because of the 55 feet setback they have to work with, they can only reach eight feet. Staff had recommended a fence on top of that eight foot berm to provide that additional height; however, the property owner to the north prefers

to have that berm at the property line for maintenance reasons and for being able to provide more evergreens on top of the berm that will get even higher than a four to five foot fence.

Member Anthony said so with the evergreens on top, even in the winter they will be able to maintain their screening.

Planner Bell said that's the idea.

Member Anthony said so we're looking at sixteen to twenty feet high of screening in an area that's pretty flat. That sounds like a good way to screen that and help that transition there. I'm happy to see that. The last point that I wanted to look at was the tree count. So I see that there is a request in order to give a greater number of credits for trees. And usually what we do here is the replacement of trees and then any excess would go into our tree fund. So can you explain to me the difference between what the petitioner is asking for, and what we would normally do within our Ordinance?

Planner Bell said normally, those additional 40 trees that they're proposing would be counted at a 1.5:1 ratio, so basically they would count for 26 credits for the trees. They want to count them as 40 credits at a 1:1 ratio.

Member Anthony said and how many credits do we need?

Planner Bell said in total, they need 292 credits. Without the requested waiver for the 1:1 credit, they would be at 150 credits on-site. With that waiver, they would have 164 credits.

Member Anthony said ok. I like this plan, I like what they're doing with the screening. I think that this area can handle the traffic, as well, even though there are concerns. The neighbor who has been managing the mobile home park has done an excellent job for the twenty-something years that I've lived in that area. The only thing that I would not support is the change of our tree-counting Ordinance requirement.

Member Lynch said just one quick thing. Barb, so the development goes in, takes out trees, damages the fence. Does the developer pay for the fence?

City Planner McBeth said as you can see from the site plan, there are some plans to make improvements on the south side of the development site. So we're anticipating that there will be some work done there. This is normally something that they would take care of as part of the process as needed.

Member Lynch said ok, thank you.

Member Maday said I just want to address one thing, which I always do when it comes to residential areas and that's the detention basin, just making sure that it's properly secured for safety for kids that live in the mobile home park.

Staff Engineer Rechten said are you asking about fencing?

Member Maday said yes, just because it is abutting the mobile homes.

Staff Engineer Rechten said I don't know if they're proposing a fence, that's something that we could look at. Something that is always included in detention basin design when there's a permanent water surface is there's a one-foot safety shelf that is required so that is incorporated into their design. Maximum side slopes are another consideration. I don't see that we usually put fences but you make a good point, adjacent to residential, that that is an extra consideration. So I don't know if it's proposed yet, but we could work with them going forward on that.

City Planner McBeth said and as Lindsay had mentioned, the applicant had worked with the neighbor and they thought that it might be better to have a fence along that common property line to the north. So we're anticipating, if this approved, that a six to eight foot tall fence will be placed along the entire north property line.

Member Avdoulos said it's always a concern when a development is next to a residential area, and that's why we go through the Special Land Use process. This property is zoned I-1, so we're not looking at rezoning so there is going to be some kind of development on this piece of property. I think what the applicant has presented is an appropriate solution, I'm very pleased that they've worked with the City to basically pull the building away from the residences to the north. The berm and having the parking there is not as severe a look as having the loading behind the building so that again, it doesn't cause any issues with the residences to the north.

The property owner to the south had asked a question about the fence between the two properties and you can see on the site plan that there's a chain link fence. I don't know if that is new or existing, and if it's new that's great because it's not going to fall over and if it's existing, it's not noted as being existing so just check that and verify that.

Chair Pehrson said relative to the traffic study and the ordinance that we have, the traffic study wasn't required for this particular building, is that correct?

Planner Bell said that's correct.

Chair Pehrson said I, too, am in support of this. I agree with Member Anthony's request, as well, for the tree count. I look forward to someone making a motion.

Member Anthony said so the question that I have to staff is on the motion sheet, do I need to make a change for the tree count? Probably one of these items needs to be deleted.

Planner Bell said under the Preliminary Site Plan approval motion, it would be item d. and under the Woodland Permit approval it would be item a.

Motion made by Member Anthony and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE SPECIAL LAND USE PERMIT MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER AVDOULOS.**

**In the matter of Novi Tech Center 6 & 7 JSP17-86, motion to approve the Special Land Use Permit based on and subject to the following:**

- a. **The proposed use will not cause any detrimental impact on existing thoroughfares (based on the review and findings in the Traffic Consultant review letter);**

- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*as this area was already planned for development*);
- c. The proposed use is compatible with the natural features and characteristics of the land (*because the plan has minimized impacts on the highest quality natural features, and will provide additional tree plantings on the areas to be disturbed*);
- d. The proposed use is compatible with adjacent uses of land (*because the proposed use conforms to the standards of the district and requirements for light industrial, and will adequately buffer impacts to the residential district to the north with the existing and proposed screening/landscaping*);
- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use (*which include ensuring that light industrial and residential developments are compatible when located adjacent to each other AND ensuring that Novi continues to be a desirable place for business investment*);
- f. The proposed use will promote the use of land in a socially and economically desirable manner (*as the proposed use will be in an area currently planned for light industrial use*);
- g. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as it meets all minimum requirements for same;
- h. Landscape waiver from Section 5.5.3.B.ii for deficiency in the required 10-15 foot landscaped berm along the north property line adjacent to the residential district which is hereby granted, for the following reasons:
  - i. there is a woodland area on the west side of the parcel to be preserved,
  - ii. the applicant is providing an 8 foot berm with a 6-8 foot fence on the property line to buffer the proposed buildings from the adjacent residential neighborhood, as well as heavy landscaping along the berm,
  - iii. the applicant has agreed to and shall provide a conservation easement to protect woodland trees and replacements on their parcel;
- i. Landscape waiver for deficiency in percentage of building frontage with foundation landscaping on the south sides of both buildings due to the presence of loading areas and no area conducive to planting, which is hereby granted.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO APPROVE PRELIMINARY SITE PLAN MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER AVDOULOS.**

In the matter of Novi Tech Center 6 & 7 JSP17-86, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Same-side, opposite-side driveway spacing waiver from Section 11-216.D of the City of Novi Code of Ordinances to permit less distance between entrances on Seeley Road where a minimum of 125 feet is required, which is hereby granted;
- b. Zoning Board of Appeals variance from Section 3.6.2.F.ii for deficiency of 45 feet of parking setback (100 feet required, 55 feet proposed);
- c. Zoning Board of Appeals variance from Section 4.19.2.A for accessory structures, transformer and dumpster, in the interior side (south) yard rather than the rear yard as required;

- d. Waiver from Section 37-8 of the City's Code of Ordinances to allow more than 30% of the woodland replacement trees to be evergreen species to provide year-round screening for the residential district to the north;
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO APPROVE WOODLAND PERMIT MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER AVDOULOS.**

In the matter of Novi Tech Center 6 & 7 JSP17-86, motion to approve the Woodland Permit based on and subject to the following:

- a. Waiver from Section 37-8 of the City's Code of Ordinances to allow more than 30% of the woodland replacement trees to be evergreen species to provide year-round screening for the residential district to the north;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO APPROVE STORMWATER MANAGEMENT PLAN MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER AVDOULOS.**

In the matter of Novi Tech Center 6 & 7 JSP17-86, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**2. FOX RUN CCC EXPANSION JSP 18-19**

Public hearing at the request of Erickson Living for Planning Commission's recommendation to the City Council of a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit and Revised Stormwater Management Plan approval. The subject property is 102.8 acres in Section 1 of the City of Novi and located north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family District. The applicant is proposing to revise the original approval and layout of the building addition in Phase 4.

Planner Bell said the applicant is proposing to construct an 88,690 square foot addition to the Continuing Care Center, also known as phase 4, of the Fox Run Community. The total Fox Run site is over 102 acres and located in Section 1, north of Thirteen Mile Road, west of M-5. The location of this project is the central western area of the parcel, adjacent to the existing Continuing Care Center.

The subject property is currently zoned RM-1 and developed under a PD-1 Option development agreement. The properties to the east are zoned RM-1 Low Density, Low-Rise Multiple Family (Lenox Park) and RA Residential Acreage (developed as Brightmoor Church). The property to the west is zoned Mobile Home District and is the location of the Oakland Glens community. On the north and northwest sides is the Maples of Novi community, zoned RA Residential Acreage. The northwest side is zoned R-2 One Family Residential and is part of the Haverhill Farms development. South of Thirteen Mile is zoned RA and contains single family homes and vacant land.

The Future Land Use Map indicates Multiple Family with the PD-1 Option for the subject property. The property to the west is planned for Manufactured Home Residential. The northern east side is planned for Multiple Family. Remaining adjacent land to the north, east, and south is planned for Single Family uses.

There are many acres of wetlands and woodlands throughout the Fox Run parcel. The area affected by this development has a wetland approximately .15 acre in size, which is proposed to be filled. A City of Novi non-minor use wetland permit would be required for the proposed impacts, as well as an Authorization to Encroach into the 25-foot natural features setback. Wetland mitigation will not be required as the total area of impact is less than the .25 acre threshold. Woodland review determined there are 13 city-regulated trees on the site, which will all be removed. Those will require 20 woodland replacement credits and a woodland permit. The applicant intends to pay into the Tree Fund for those credits.

Planner Bell said the original Continuing Care Center, phase 4.1, was built in 2007/2008 and included 132 assisted living units. The addition currently proposed, Phase 4.2, would add 90 units, for a total of 222 units. The original Planned Development agreement for Fox Run included 390 units of assisted living/skilled nursing care. The remaining 168 units are listed as "future units" on the unit matrix in the plans. The applicant has indicated they would like to reserve the right to build a new building on the south side of the existing facility, although no plans for that building have been proposed. The required parking and access roads were previously constructed in phase 4.1, so no new parking areas or driveways are proposed at this time. Six bicycle parking spaces, a new interior garden courtyard, interior common spaces and dining facilities are also proposed.

The overall Fox Run site is considered a Special Land Use, and this approval requires a revision to that permit, subject to the conditions listed in your motion sheet.

The applicant is seeking five waivers from Planning Commission: Waiver for Building length in excess of the 180 feet maximum (316 feet proposed). Such additional length would require additional setback of 1 foot for every 3 feet in excess of 180, which results in a required 120 feet setback. The building and addition are located 332 feet from the nearest property line. Staff supports the modification of building length by the Planning Commission because the interconnected facility would better serve the intended population; Waiver from Section 5.16 for providing bicycle parking in one location rather than two as consistent with the use at issue; Waiver from Section 5.16 for not providing a 6 foot sidewalk access to bicycle parking, because the existing 5 foot sidewalk would need to be demolished and reconstructed to accomplish that; Waiver to allow fewer multifamily unit landscaping trees than are required. The applicant has proposed to plant

50 of the 87 required trees on the site because of space limitations. Staff supports the waiver; Section 9 waiver for overage of EIFS on all facades due to building massing and the applicant's demonstration of proper architectural balance as set forth in the façade consultant's report.

The applicant has revised their elevations from the original submittal based on issues raised in the façade review letter, and now proposes an overage of EIFS on all facades and overage of CMU on the west and south facades. Brick has been added to meet the ordinance requirements. The façade consultant has issued a revised letter and now recommends approval of the Section 9 waiver.

Planner Bell said the reviewers are all recommending approval with additional items to be addressed with final site plan submittal.

The Planning Commission is asked tonight to hold the required public hearing for the Revised Special Land Use permit, Revised Preliminary Site Plan, Revised Wetland permit, Revised Woodland permit, and Revised Stormwater Management Plan. The applicant Andrew Hirshfield from Erickson Living as well as his team is here tonight to tell you more about the project. Staff and consultants are here to answer any questions you may have.

Tim Barnhill, the architect of the project, said I have with me the design team tonight, as well as the executive director and Andrew Hirshfield from Erickson Living Corporate. The main goal for the project, and I think most of the key points were already touched on, but the main goal for the project is really to provide additional care for the Fox Run community. The existing care center contains skilled nursing, memory care, and assisted living. This building expansion is providing all new assisted living, which will allow for the existing assisted living to get backfilled with other skilled care and dementia care inside the existing facility.

Since the building was built, the care model has changed and this building reflects kind of the newest trends in care for assisted living – larger rooms, we have a mix of unit types that really provide for different needs for different residents and family members inside the community. And in addition to the units that are being added, we're also renovating the lobby and we're providing a new bistro, we're providing a new restaurant, there are activity rooms, game rooms, sunrooms, libraries scattered throughout the building and really providing for the needs of the residents.

Mr. Barnhill said there was some talk earlier about the length of the building and one thing we really wanted to do was connect the buildings back to the existing and we focused a lot on travel distance – making sure the elevators are located in the right spots, easy connections to the dining venues.

We talked about the exterior, it's really matching the existing building on the existing campus. We received comments from the façade consultant to increase the brick but then also tried to work with the existing language of the existing buildings to make sure it looked like one continuous building so it wasn't very clear that this was the addition and this was the existing building; we wanted to provide a continuous look on the campus. We do have the team here and can answer any questions as needed.

Chair Pehrson asked if there was anyone in the audience that wished to address the

Planning Commission regarding this project. Seeing no one, he said I think we have some correspondence.

Member Lynch said we do. The first one is from Laurie Dazarow, 30155 Brightwood Drive, that is an objection and I apologize but I can't read it, but it will be added into the record. The next one is from Herman and Lisa Smith, 41418 Cornell Drive, they object for the following reasons – disruption of their lifestyle, increased traffic volumes, loss of peace and quiet, and loss of scenic views, risk of decreased property values and destruction of wildlife habitat. The last one is from Norman Frechette, 40800 West Thirteen Mile Road, in support.

Chair Pehrson closed the public hearing and turned it over to Planning Commission for their consideration.

Member Anthony said this question will be to the staff. Since this is coming back, there were some questions that we had before and I just wanted to make sure that they had complied with this. One was in granting the waiver for additional length, if I remember correctly it was attached to it that there needed to be an open common area that was large enough to handle 50 people. Can you comment on whether that's been met?

Planner Bell said yes, there are common areas both in the existing building as well as the proposed addition. They mentioned a bistro, there is an internal courtyard, there's a rooftop garden area, as well as various exercise facilities. Perhaps the applicant could speak to that, as well.

Mr. Barnhill said yes, there are multiple activity areas scattered throughout the building. I believe we have over 3,790 square feet inside of the building for those activity areas. The restaurant and the bistro and the activity room and the garden room are some of those larger rooms, but then we also have a sunroom, a game room, and a library that are nestled within the building and we tried to provide activities scattered throughout the building in addition to the larger dining venues.

Member Anthony said so are any of these open areas within the new addition?

Mr. Barnhill said yes, everything but the renovated bistro is in the new building and the square footage I mentioned is all in the new building, I didn't count any of the existing building.

Member Anthony said alright, good. There also was a comment that you needed additional dimensions on the sidewalk areas that were within the interior green areas. Was that item taken care of?

Planner Bell said there is an existing sidewalk at the entry. Basically where the current curved entry drive is to the site, there's an existing five foot sidewalk that leads up to it. They're proposing to put the bicycle parking right adjacent to that, as well as a new sidewalk leading up to a new entrance. So to accommodate the six foot requirement for a sidewalk accessing bicycle places ,they'd have to tear out that sidewalk to put in the additional foot.

Member Anthony said so if I'm understanding correctly, they have to tear out the existing

sidewalk.

Planner Bell said if the waiver is not granted.

Member Anthony said if the waiver is not granted. So, if the waiver is granted then they're allowed to keep the existing sidewalk.

Planner Bell said that's correct.

Member Anthony said so really the waiver is to keep this pedestrian oriented, which is one of our goals as a community anyways.

Planner Bell said and that's why we're in support of that.

Member Anthony said very good. There was another one in there where you needed an employee count for the new addition in order to verify that the parking lot count was adequate and that you didn't need to add any more. How was that resolved?

Planner Bell said the applicant indicated 40 employees during the day and 40 at night.

Member Anthony said so by the shift change, that was able to bring it into compliance.

Planner Bell said and the original parking areas were planned for a total number of rooms that were approved in the beginning.

Member Anthony said so in the Landscaping, and I know we don't have our Landscaping folks here, but there was also a requirement in shifting the location of the trees so that they were within fifteen feet of the curbs. I presume that that was also completed.

Planner Bell said the applicant indicated in their response letter that they were located more than fifteen feet because of existing utilities, and I don't know that that has been fully ironed out at this point.

Member Anthony said and that is something that before this is all finalized, staff will work on?

Planner Bell said yes, if only we had Rick here, we miss him.

Member Anthony said I know you can't dig in those utility corridors. Ok, we already covered façade that they had modified façade. And then also, Rick had a request to replace dead or weak trees to maintain opacity and I presume that that is still staying in there?

Planner Bell said yes, I believe the applicant response included a commitment to replacing some buffer areas that apparently have weakened.

Member Anthony said good, okay thank you. And to the applicant, thank you for addressing all of the items that we brought up with you last time. It certainly makes things a lot easier when we have issues and you're able to go back and resolve them with staff. So that takes care of my questions and this is certainly something that I would support.

Member Avdoulos said I guess this is to address the concern of one of the response forms, one of the neighbors indicating that Fox Run is becoming an eye sore consisting of too much content. However, what I wanted to validate is that the site plan – I think it's C-100, indicates all the phases of the project as a whole. And so this is something that was approved as an entire project, and the phasing is numbered based on when they're going to do it and going to complete it. And so this isn't something that was unknown and not allowed.

I think adding to it and again, echoing Member Anthony's comments, appreciating the applicant working with the Planning Department because all of the waivers and everything that's been requested through working together has been supported by staff and the last sticking one for me, again, was the façade approval that we didn't get a positive determination from our consultant but the applicant has worked towards that, so I appreciate that. So what I would like to do is make a motion.

Motion made by Member Avdoulos and seconded by Member Greco.

Chair Pehrson said I'd just like to add that it's important that those who don't have this in front of them, what's being referred to in the Special Land Use revision section here is that inside what has just been read, there are certain criteria that we have to apply to make sure that it does fall within and meet the Special Land Use permit that we are authorizing at this time. So if you've never had a chance to look at what a Special Land Use permit criteria looks like, I'd encourage you to go online and look at that because it does address all of the things that Member Avdoulos has spoken about in the past relative to things like the Master Plan, relative to compatible use, satisfying the requirements of the engineering review – those items which are, again, more stringent that we have to pass at this point in time. That's my only comment.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED SPECIAL LAND USE PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run Continuing Care Center (CCC), JSP18-19, motion to recommend approval to the City Council of the Revised Special Land Use permit based on the following findings:

a. Relative to other feasible uses of the site:

- The proposed use will not cause any detrimental impact on existing thoroughfares (*as indicated in findings and conclusions of the traffic review letter, including the adequacy of such thoroughfares to handle the existing improvements*);
- Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes in accordance with ordinance requirements as set forth in the engineering review*);
- The proposed use is compatible with the natural features and characteristics of the land (*as proposed impacts to natural features have been minimized as described in the staff and consultant reports*);
- The proposed use is compatible with adjacent uses of land (*as indicated in the*

*staff and consultant review letters and as demonstrated by the longstanding relationship of the existing development to such uses);*

- The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, which contemplates this use;
  - The proposed use will promote the use of land in a socially and economically desirable manner, as it is a continuation of this planned use;
  - The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.
- b. Landscape waiver from Section 5.5.3.F.ii to allow 37 fewer multifamily unit landscaping trees than are required (87 required, 50 provided) because the existing and proposed landscaping on the site are substantial and sufficient to accomplish the intent of the ordinance.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run CCC, JSP18-19, motion to recommend approval to the City Council of the Revised Preliminary Site Plan with a PD-1 Option based on and subject to the following:

- a. City Council finding that the standards of Section 3.31.4.A of the Zoning Ordinance are adequately addressed;
- b. Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 316 feet proposed, because the interconnected facility will better serve the population and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided, as it is in this proposal;
- c. Waiver from Section 5.16 for providing bicycle parking in one location rather than two as consistent with the use at issue;
- d. Waiver from Section 5.16 for not providing a 6 foot sidewalk access to bicycle parking, because the existing 5 foot sidewalk would need to be demolished and reconstructed;
- e. Section 9 waiver for overage of EIFS on all facades (25% maximum required, up to 32% proposed) due to building massing and the applicant's demonstration of proper architectural balance as set forth in the façade consultant's report;
- f. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan,

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL TO RECOMMEND APPROVAL OF REVISED PHASING PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run CCC, JSP18-19, motion to recommend approval to the City Council of the Revised Phasing Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED WETLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run CCC, JSP18-19, motion to recommend approval to the City Council of the Revised Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED WOODLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run CCC, JSP18-19, motion to recommend approval to the City Council of the Revised Woodland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of Fox Run CCC, JSP18-19, motion to recommend approval to the City Council of the Stormwater Management Plan, subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**3. ADELL CENTER PRO JZ 18-24 AND ZONING MAP AMENDMENT 18.724**

Public hearing at the request of Orville Properties, LLC for a Zoning Map Amendment 18.724 for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan (PRO) associated with a zoning map amendment, to rezone from Expo (EXPO) to TC (Town Center). The subject property is approximately 23-acres and is located at 43700 Expo Center Drive, north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The current PRO Concept plan includes a request for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance.

Planner Komaragiri said as you may have noticed, the screens in front of you are not

connected to my laptop due to some technical difficulties. I did prepare some slides to go with my presentation, I apologize for inconvenience but you may have to look at the screen behind you as needed.

Tonight, we are presenting two requests for your consideration. One is the request to rezone the subject property from EXPO to Town Center District, and the other one is the unlisted use of determination for Carvana.

The subject property was the home of the old Exposition Center and is located on the west side of Crescent Boulevard and south of I-96 expressway ramp. It is currently zoned EXPO and is surrounded by industrial uses to the south and west, and Town Center to the east and Conference District to the north across the expressway. Our Future Land Use Map recommends that the property can be developed with Office Service and Technology uses. The intent is to create a buffer between the retail and industrial uses and to support the existing retail and restaurant uses in the surrounding area. Recommendation for surrounding properties aligns with the current zoning.

There is an existing water tower which is proposed to remain and be located on its own unit as a non-conforming structure and/or use. The site has been vacant since 2012 when the old Expo building was demolished.

Planner Komaragiri said the southern portion of the site, approximately seven acres, contains the Walled Lake Branch of the Middle Rouge River, wetlands, floodplains, and regulated trees. The applicant indicated that the proposed development will include the improvement of over three acres of existing City-regulated woodlands and wetland areas to allow for pedestrian access by the public to that area. The current plans do not clearly indicate the extent of improvement or impacts to the existing regulated wetlands and woodlands areas to clearly identify the changes to this part of the site, except for a conceptual trail location in that area.

The applicant, who is also the current land owner, is proposing to build a private road and install the required utilities and divide the land into individual condominium units – about nine. Each future buyer will then be responsible for getting necessary site plan and other permit approvals, and be responsible for each unit's construction. The applicant is proposing a mix of hotels, indoor recreational centers, restaurants and an unlisted use. All the current uses proposed with the current PRO Plan and the limited potential future uses proposed in the applicant's response letter are permitted under Town Center zoning district, if it is rezoned with the exception of Carvana, which is also being considered for the appropriate zoning district as an unlisted use determination tonight. A secondary emergency access is required for this development, which is currently not shown the plans. The landscape plan indicates greenbelt plantings along Adell Drive. It does not include landscaping for individual units. A couple of focal areas along Adell Drive are also proposed.

The proposed PRO Concept Plan initially proposed a 30-foot wide road with 50 feet access easement, which acts as a major road which provides access to all individual nine units. Staff recommended a width of 36 feet. Staff has provided an updated memo which clarifies all comments with regards to this item. The applicant has agreed to revise the road layout to 36 feet wide with 70 feet access easement in his response letter.

An updated cross section of the road and a revised Concept Plan were provided earlier this week. Staff did not get a chance to completely review it in this short period of time, but has noted a few major changes such as lot sizes have decreased for Units 6, 7, and 8 due to the road widening. Units 7 and 8 are no longer sharing the entrance drive. Building orientation for Unit 8 is changed. Fire did not get a chance to review for fire truck circulation. The applicant may expand on the changes more in his presentation.

Planner Komaragiri said the proposed road widening does address a major deviation. However, most of the other deviations identified in our review letters still remain. Particularly, the lack of information needed to determine the required parking space for each unit or submittal of a Shared Parking Study. Staff noted that some of the deviations should be specific and not general such as a blanket setback of zero feet side yard parking setback.

The property's proximity to the surrounding retail, restaurants and hotels could make the proposed rezoning a reasonable alternative to Master Plan recommendation of OST. As indicated in our review letter, the applicant should be able to achieve greater compliance with the design guidelines from the Town Center Area Study and redesign the site layout to more closely meet the intent of the Town Center District, such as pedestrian-oriented development and more site amenities. The current site layout is more consistent with a traditional industrial park layout we typically see in Light Industrial districts rather than a commercial center.

A major component of staff and consultants review has been the long list of deviations that the applicant has been seeking with the proposed Concept Plan. The applicant has provided an updated request for certain deviations which do not include all of the items indicated by staff. According to the applicant, if the individual users seek any additional deviations at the time of their respective site plan review, they would be responsible to amend the PRO Agreement at that time.

Planner Komaragiri said I would like to briefly go over the list of deviations that are being requested in the response letter dated July 3<sup>rd</sup>. A hard copy is provided with your packet that can act as a reference while I present.

I have some slides to go with each of those deviations. They are numbered in the order listed in the letter.

The first one is the increase of maximum allowable building height. Town Center allows a maximum building height of 65 feet or 5 stories, whichever is less. Unit 5, Drury Hotel, is proposed at 85 feet high and seven stories. And Carvana is at 75 feet tall with eight tiers. The existing water tower is to remain at 120 feet. The current slide displays the heights of existing buildings adjacent to subject property, which are under 25-50 feet tall.

Item Two, the water tower unit has no frontage on any street at this time. Frontage is required on either a public or private street. The purpose of the tower as part of the new development is not defined at this time. It appears that no changes are proposed to the tower itself. A deviation is required for lack of frontage on a public or private street.

Item Three, Unit 1 does not meet the minimum required 50 feet building setback along I-96 frontage, only 35 feet is proposed for the utility area. The applicant has indicated that

some revisions have been made to the iFly building elevation that may or may not reduce the deviation. Staff did not get an opportunity to review since the revisions were made.

Item Four, a deviation is required for exceeding the maximum allowable length of 800 feet for the cul-de-sac. The applicant is proposing 1,450 feet for Adell Drive due to the way the site has been laid out. The applicant indicated that changes to this layout are not feasible at this time. The requirement is mostly for fire access and Fire did not make any comment in the letter.

Item Five, proposed impacts to wetlands and wetland buffers do not typically require a deviation. They are usually reviewed as part of the Wetland Permit review.

Item Six includes a deviation request for front and side parking setbacks. Setbacks are usually measured from access easements which would result in a deviation for reduction of setbacks by two feet for the most part. Instead, the applicant is asking for a deviation to measure setbacks from the edge of the sidewalk, which would make the setbacks conform for the most part. The deviation implies that the concept plan meets the setback requirements if the request to measure from the edge of the sidewalk is allowed. It should be noted, however, that Units 1, 3, and 4 do not meet the minimum. The request should be revised accordingly. Staff noted that some of the deviations should be specific and not general.

Item Seven, the water tower is not a principal permitted use of the site. It is also not considered an accessory use, since its proposed use is not detailed. Another deviation is required for the creation of a new, separate legal parcel of limited size for the purpose of housing the water tower on its own. Staff is also looking for additional information such as what happens to the tower and the property if the owner determines to remove it and access, etc.

Item Eight, when the site has double frontage, dumpsters are typically located in the interior side yard or between the buildings. Instead, the applicant is seeking to propose them in the exterior side yard along I-96 frontage. The location is subject to the potential screening. This information was indicated to be provided at the time of individual site plan review. Staff did not get to review whether there is any proposed location or screening at this time.

Item Nine, part of the rear yard for Units 3, 4, and 5 lies within the floodway line, shown in red on the image on the screen. The buildings appear to be outside of the floodway line. Impacts to grading should be further clarified to determine whether any deviation or other permits will be required.

Item Ten, the applicant is requesting to waive the requirement for loading spaces for Units 1, 3, and 5. As noted in our review letter, hotel facilities often receive food and supply deliveries and laundering services, which would necessitate loading and unloading activities. Lack of loading spaces increases the potential for delivery vehicles to park in access aisles and diminish site accessibility and operations. The lack of a loading zone at Unit 1, iFly, could prove to be problematic given the potential for future land use changes.

Item Eleven, the applicant is requesting to allow loading areas for Units 1, 7, 8, and 9 along I-96 frontage due to double frontage. A deviation to allow for loading area within building

setback may be allowed, but not within the parking setback as the applicant requested. Proposed loading areas should meet the parking setback requirements. However, staff typically makes a recommendation for such a deviation based on information such as the location, layout and circulation, which is not provided at this time. It should also be noted that the loading area should be a minimum ratio of 10 square feet per each front foot of building. It appears that they may be a deviation required if not provided the minimum square footage.

Item Twelve, elevations are provided for Drury, iFly, Carvana, Fairfield, and Plant Fitness. All of them do not conform to the code. Our façade consultant has noted some specific recommendations for revisions to be made to Unit 1, iFly, and Unit 3, Planet Fitness, to support the deviations. The applicant has not indicated that those revisions will be addressed, but instead sought the deviations. It should be noted that Unit 2, Planet Fitness, is not included in the list of deviations even though our Façade consultant noted that it does not comply at this time. I have full size elevations available in the slide if you would like to look at them.

Item Thirteen, this request only includes deviations for building signage for iFly, Drury, and Carvana. The PRO submittal included signage information for our review and a request, but information was not submitted in the required format. For example, the distance between the sign and the center line of the road. Staff was not able to perform a complete review due to lack of information.

Item Fourteen, with the current Concept Plan submittal, the parking calculations have been eliminated. A reference to a Shared Parking Study has been made under requested deviations, but a study has not been provided. The applicant in the response letter indicated that that parking may not sometimes meet the requirement. The study requires City Council approval prior to PRO approval. Staff recommends that the applicant provide a Shared Parking Study to review the potential for including other site elements and reducing the need for as many deviations, or provide parking calculations to verify conformance with the requirements. Further information is included in the Planning letter.

Item Fifteen, Adell Center Development Signs. Information was provided for these two monument signs and the deviations were not accurately identified due to some missing information, like the distance and a couple of questions raised indicated in our letter. Staff has requested additional information to complete this review.

Item Sixteen, Sidelot lines for Units 1, 6, 7, and 8 are not radial or perpendicular to the street lines. The applicant has stated that the current unit boundaries have been mutually agreed upon with purchasers and we understand from conversations that the applicant is reluctant to make major layout changes.

Item Seventeen, the Open Space Plan indicates a total of four acres (about 17%) of open space which includes regulated wetlands and woodlands area. This is not allowed because the Code requires the Open Space to be usable such as pedestrian plazas or permanently landscaped areas. As indicated, the applicant is proposing a trail in that area but other than the location, staff was not able to identify the impacts to wetlands and woodlands. Updated calculations need to be provided once the legal description is updated to reflect the removal of City's Right-of-Way on the south side of the property.

Item Eighteen, the applicant has requested to approve future building changes to any of the units administratively if they are in compliance with conditions listed in the PRO Agreement. A sample language that refers to those conditions that regulate building design, which were supposed to be included in the PRO Agreement, is not provided at this time. Staff does not have enough information to make a determination.

Item Nineteen, the applicant has provided trip generation information for the development that will be incorporated into the region-wide traffic impact study that the City is undertaking right now. Staff supports the deviation provided that the applicant understands that they may be requested to provide additional traffic-related data and information during the review at the City's discretion. The applicant should also confirm understanding that they may be subject to certain off-site and/or on-site mitigation measures as a result of the region-wide traffic impact study at the City's discretion.

Item Twenty, the proposed parking stall for Units 2 and 3 is closer than the minimum 25 feet. It may pose a sight distance issue and operational concern with completing parking maneuvers within such a close proximity to the driveway.

Planner Komaragiri said an additional deviation is also required for all units for frontage on a private street in lieu of a public street. A deviation for just Unit 9 was requested at this time. The applicant has not requested similar deviation for all other units at this time.

The applicant has eliminated the deviation for road width, access easement, sidewalk placement and width of sidewalk with the revised cross section, as indicated in his response letter. However, as indicated before, staff was not able to complete the review as the plans were provided a couple days earlier.

A Photometric Plan and additional information is typically required at the time of Final Site Plan. However, given that the proposed unit lines are running through the parking lot and proximity of parking spaces to Adell Drive, staff anticipates that there may be certain deviations of exceeding the maximum spillover. Those deviations should be identified and included as part of the PRO Agreement in some form.

It should be noted that any major changes to the site layout, parking lot layout, building locations, landscape designs for individual units, and deviations not recorded as part of the PRO Agreement would most likely require an amendment to the Agreement if they are not identified at this time. Staff would recommend that it is best to identify and address all of those issues at this time to avoid multiple amendments at a later time.

Planner Komaragiri said sample motions are included in the packet for each alternative to approve, deny, or postpone. The motion to postpone addresses pending staff concerns at this moment. The Planning Commission is asked tonight to hold the public hearing, review the presented proposal, and make a recommendation to City Council to either approve or deny the proposed PRO plan or postpone making the recommendation to a later meeting to allow additional time for staff and the City's consultants to resolve a number of remaining issues, and to clearly identify Ordinance deviations, based on the revisions that have been discussed over the last few days.

We have all of our staff and consultants for traffic, wetlands, woodlands, and façade available today for any clarifications you may need about our reviews. We also have the

applicant, Kevin Adell, and his engineer, Dan LeClair, along with their team and representatives of some of the individual users. The applicant would like to give you a 3-D tour of the proposed development after my presentation.

Planner Komaragiri said as a separate matter, but related to the rezoning plan, the Planning Commission is asked tonight to make a recommendation to City Council whether to allow or not allow Carvana, 'Vending Machine Fulfillment Center,' as the described unlisted use, as an appropriate use subject to Special Land Use Conditions in the Town Center District. The applicant is proposing a use which is in essence a used car dealership, but do not function or appear like a used car dealership.

Carvana was founded in 2012 as an online automobile retailer. It is currently operating in nine cities in the United States. It is an experimental concept, which the applicant indicates is becoming popular. However, there is no guarantee for the long-term viability of the use. Staff is concerned as to what alternate user for the building might be found if the proposed use of 'Vending Machine' eventually becomes outdated. The glass tower is built to store vehicles and not for human occupancy. The options to repurpose the building for another use seems limited, and the location prominent.

At this time, staff has reviewed the appropriateness of the use as part of Adell Center specific to the subject property. Staff has not reviewed for its suitability for all of the Town Center District. We have Arwa Lulu and Garret Jonilonis from Carvana who are here to give you a brief presentation about how Carvana works following Adell Center's presentation.

Thank you very much for your time and patience.

Dan LeClair from GreenTech Engineering said thank you for the opportunity to present to you tonight. We have our whole team here tonight, Kevin Adell and Ralph Lamenti from Orville Properties. Kevin's family is the original owner of the property from way back in the 1950's from when this property became a manufacturing facility. Later on, it became a facility for refining or I believe it was Mohawk that was there, and then of course we all know about the Novi Expo Center was formerly there.

We started working on this property about four to five months ago, Mr. Adell contacted us and explained to us that he and his family have been working on this property for several years, since the Novi Expo Center was no longer in use and the building was turned over. And he has been looking for several years to find the right opportunity and the right use for this property, and he's had several different uses come in, several different people have come in that he explained didn't make it very far – some a little farther – so there have been a lot of different options looked at for this property.

He came to us from the standpoint that he marketed this property to retail, entertainment, and knowing what's going on in America with our society and going to the internet age, he's asked us to look at different types of uses and what is out there that is different – national companies that are setting their footprint across America. And also knowing that we have a lot of entertainment with the current Suburban Showplace, we've got soccer facilities, a lot of family entertainment in the area.

So he kind of put together a site plan to cater to those types of uses – we don't see any

office buildings on here, he's looked at that and he's afraid of the long-term viability of that. He looked at light industrial, which is allowed under the current EXPO zoning. With the traffic and the heavy truck traffic that is sometimes generated with that, he felt that that wasn't the right fit for this piece of property. So that's how we got to where we are today.

Mr. LeClair said I want to acknowledge Greg Gamalski and Nick Scavone, they're with Bodman, his legal team; Carmine Avantini, our project planner; TJ Likens, our traffic engineer. They're all here tonight with me, so we're happy to answer any questions. Also tonight we have representatives here from iFly, Planet Fitness, Fairfield Inn, Drury, and Carvana. Following my brief presentation here, we'd like to just present a little bit of an explanation and a little more detail about Carvana. And I'll have Arwa step up and give us a little more detail about what they do.

I'm going to back this slide up here and hit pause in a couple different spots, just so you can kind of get a better view of what we're anticipating what it would look like. And about this spot right here, if I can stop it quick enough, this would be a view from the southwest – over at Grand River, almost on top of the railroad bridge if you were looking out toward the interchange of I-96 and Novi Road. Right to the right here is the proposed Drury. We've got the existing commercial facility, I think there's a Noodles in there and a couple of smaller restaurants. The new proposed roadway would come in, make a loop through the site, and terminate in a cul-de-sac right up by the freeway.

Mr. Adell is proposing a small parking lot for what we're calling overflow parking at this point. Because of some of the uses, a lot of the peak hour demand uses are at the same time for a lot of these facilities – you've got hotels, restaurants where the evening traffic is a little heavier. And then of course the day traffic is a little bit lighter.

So this is the Drury, this is what we are calling Lot 5. Lot 4 or Unit 4 is basically proposed to be a vacant unit, no buildings at this point with a parking lot. Unit 4 will also have a pathway system that will cross over the river and it will make a connection into the pathway on the south side of the river, which would come out to what would eventually be the loop road or the ring road when that's extended. We have another proposed hotel, that's the Fairfield Inn. And then if I can slide this thing forward, Planet Fitness is proposed up in this area along the westerly part of the site. And then the frontage, the I-96 frontage, would include the iFly, which is an indoor sky-diving event, as well as the Carvana and then area for additional restaurants closing out the frontage along I-96.

Mr. LeClair said when we first started looking at this, we were looking at how do we lay this development out and what type of users can we get in here to present a wow-factor? How can we get people to exit the off-ramp and come in? We're so close to the interchange, get them in and have them enjoy this area, and be able to exit and maneuver about to the recreational facilities – the soccer, the Suburban Showplace, etc. And that played a lot into where we located the position of the users on this property. iFly, just their building itself is very unique. It's got lots of color to it, different shape, it's really unique. In fact, I've been traveling to Chicago, I've been traveling to Tampa – when you see those types of facilities along the expressway, they catch your eye and it draws you right in. In fact, in Tampa I pulled off the freeway when I was traveling just to go in and check it out. So that's primarily the reason why we put those users up front, to catch the eye.

And then the taller buildings, the Drury, kind of farther back away from the freeway but people can still see it. Because this site does have a little bit of a challenge – it doesn't have a frontage on Novi Road – so we've got to get users into this facility or this location by what's out on the freeway. And we can get a little bit of a better look at the Drury – kudos to the people that put this together, it's very neat imagery.

Here's a better look at some imagery of iFly's facility and we'll move on to Carvana. I'll let Arwa explain this a little bit better but essentially it's what we would call typically a vending machine. Arwa will explain it more, but's a really neat concept, mostly internet-based. It's basically a delivery location, where you can purchase a vehicle online and close the purchase and come to this facility and pick it up. And so the vehicles are stored here for the pick-up and the delivery.

Mr. LeClair said a couple other things that I wanted to describe or explain – this project, right now the site plan that you see throughout our drawings, the Carvana layout that you have here is a conceptual layout that we put together while we were still working with them. The building will most likely be very similar to this, but we may twist it around a little bit to meet the site plan requirements. Drury, they've got a layout that they've presented to us, so we're using most of their information. The Planet Fitness site is a conceptual layout that we had done, as well as the two restaurant sites.

So those specific users haven't tied down the exact location of their building on their sites, or their parking and driveway geometrics. So we put a site in for them just so you can grasp and get the idea. But I'd like to explain this as being very similar to an industrial park, where we are proposing to develop the roads and bring in the utilities and create the lots. And then each individual site user, or purchaser, will come in with a site plan. So we're kind of setting up the zoning framework and the overall framework and then they will come in individually with a site plan. And of course, we'll have the road and utilities brought in as part of the overall development in creating the overall condominium.

Timing – this project is going extremely fast. We've been working with Sri, she's been very patient with us and responding very quickly so thank you to Sri, and Barb – they've been very graceful in meeting with us. Mr. Adell brought in the users for the properties, and then we're coordinating the overall site to line up with the users. He's got people coming to purchase these properties and commit themselves to developing on these properties. They're very excited about it, they're spending a lot of money because this is probably the most sought after real estate in Oakland County and maybe southeast Michigan, right at this intersection. So we're taking all of their information that they use, not only in Michigan but nationally, and incorporate it into these sites.

So the site layouts that you see and some of the deviations that Sri has talked about, we've kind of taken the information that we've gotten from our users and we're asking for those deviations now in anticipation of when those users come in. So we've taken their information and tried to get it in ahead of time so you folks can see. So some of you may look at these deviations and say 'well why are they asking for this,' but there's a reason because the site plans are coming. We are currently working on the preliminary and final site plan construction plans for this development right now. They're probably going to be submitted next week, even before this project, if it moves forward, gets to City Council. We're on that tight of a timeline. Mr. Adell is committed to get this project moving and moving very quickly. Once we get to a certain point, we're going to submit for demolition

– get the site cleaned up, get the concrete floor and the parking lots removed, and get it ready so that these users can come in later on this year. So the timeline is extremely quick.

Mr. LeClair said we've asked for several deviations and if you have questions, we can have each of the individual users answer any questions that you may have. Before I ask Arwa to stand up and talk a little bit about their operations, if I may approach the Planning Commission with some letters that we've received.

Chair Pehrson said are they not in the packet?

Mr. LeClair said they are not.

Chair Pehrson said give them to Sri, please.

Mr. LeClair said Mr. Adell has been very, very active with this project. He really wants to garner interest and support from everybody that he can. At this point, through his discussions with L. Brooks Patterson, Andy Meisner, Sheriff Bouchard – all are in favor of this project and very excited about it, as well as Joe Hurshe from Providence Park. So we've got a lot of our neighboring community, he's actually setting up a get-together with the neighbors in the community through the business associations to introduce this project and that will also be coming also very shortly. With that, I'm going to turn it over to Arwa so she can explain a little bit about the Carvana operations.

Arwa Lulu from Carvana said I wanted to share a little bit about Carvana because it is a concept that people have not heard a lot about. So I would like to share this short video, just 30 seconds.

So like the video said, we are the new way to buy a car. The company itself was founded in 2012. We have been operating car vending machines since 2013, and we're hoping to propose a similar concept to Novi, Michigan. Similar to what the video presents, we offer simple one-stop shopping online, which is completely different from a traditional car dealership. Customers don't ever have to leave the comfort of their own home, they can browse vehicles on their computers, their cell phones, maybe on a break at work, maybe you have a busy schedule. You really don't have to go anywhere, the only way you can purchase our vehicles is online.

So think of it as an Amazon for cars – you log onto our website, say you're looking for a Honda Accord maybe year 2016, start filtering those options and those specs, you can really play with it a little bit. It'll show you the vehicles in your area that are available. The next step is to figure out, ok I want this car, now how do I get it? Do I want to purchase it outright or do I want to finance? There's a financing widget right on our website, meaning there's a fixed price. There's no negotiating, there's no haggling, there's no going back and forth with a salesperson. You know the price right off the bat, you know what your financing terms are because you can play with the widget and figure out what your budget is on a monthly basis, and you can go from there.

Now you've decided what car you want, how much you want to pay for it, what your monthly bill for it will be. You go to the next step, which is finalizing the transaction, which again you don't have to leave your home to do so – you can just do it from the comfort of your own home, all the paperwork is on the website.

At the last step of the process, you get to choose how you want to receive the car because you're not actually at a car facility or a traditional dealership. You get to choose whether you want the car to be delivered to you or if you want to pick it up. So that takes me to the fulfillment options that we have.

Ms. Lulu said so Carvana delivery – we can deliver cars for free up to 100 miles of your location. And then the other option that we're proposing to Novi, Michigan is the vending machine fulfillment center. That's the option that we really want customers to get excited about. We now have twelve of these vending machine fulfillment centers in six different states, so we really want to create that car buying experience that is completely different than what you see at a traditional car dealership. You don't have to spend four hours on a Saturday wasting your time looking for a car; you can see all the specs because we have a 360 view of the vehicle. All of our photo booths are equipped to take pictures internally and externally of the vehicle.

Once you purchase that car, it gets delivered. If you want to pick it up at a car vending machine, and like Dan said, it's a vending machine – you get a coin, you put the coin in the coin machine, and the car is vended out to you through our automated system. I want to talk briefly about the Carvana difference because to Sri's point, we are not a traditional car dealership. Vehicles are purchased online and then delivered to the fulfillment center for customer pick-up, which is different than a traditional car dealership because the cars are stored on the parking lot for customers to come and browse and shop and figure out if they're going to buy a car that day or not. The difference with the Carvana fulfillment center is that a customer has secured their purchase, and they're just coming to pick up their car.

We, on average, need a site of one to two acres. In our other markets, we needed 35 to 40 parking spaces to fulfill our operational needs. You won't see auto servicing, gas pumps, fuel stations at a vending machine fulfillment center and that goes to create that customer experience – they don't have to worry about any of that, they're just coming to pick up their car and be on their way.

And then another huge part is that there are no sales promotions, no gimmicks, no balloons that you would typically see on a weekend or a Sunday when you're just driving around town; none of that would occur at a Carvana vending machine fulfillment center.

So plan of operation. At a typical vending machine fulfillment center, you'll see at least five to six employees throughout the fulfillment center. One of them could be a manager, the rest would be our field advocates. And they are working with customers, greeting them, unloading cars from the tower, loading them into the tower and just really helping customers walk through that final transactional paperwork, giving them their token, and then sending them on their way when that car comes out of the vending machine. And then customer visits, because we're not a traditional dealership, visits to the fulfillment center are by appointment only and daily this can range anywhere from six to fifteen.

Ms. Lulu said so this is our conceptual design, this is a rendering that we revised – so we went to the pre-application meeting on May 14, 2018 and the building was not received well by the façade group and so we took those comments and we took the façade ordinance requirements and added a lot of brick to our building. The glass tower portion

will remain glass and steel because we want to be able to display the cars and get customers excited about the cars they're coming to pick up that they've already pre-purchased.

So I know that the comments in the staff report alluded to Carvana being an experimental concept, like I mentioned earlier Carvana was founded in 2012, operating their vending machine fulfillment centers since 2013. So I want to show you a map; January 2017 we were only in 25 markets – those markets include inspection/reconditioning centers, vending machine fulfillment centers, and then our headquarters in Tempe, Arizona and various hub locations where we actually deliver those cars to customers. Fast forward to June 2018, we are now in 65 markets and growing. So now we offer twelve vending machine fulfillment centers in six different states, we are growing at a really fast pace and will continue to be delivering vending machine fulfillment centers. We have inspection centers throughout the nation that house our cars, they inspect them and perfect them before they send them out to the final destination which is the customer. So I wanted to touch a little bit on that and hopefully that answers some of the questions about Carvana and what we do. Thank you for your consideration.

Mr. LeClair said thanks Arwa. Again, part of the reason why we wanted to have Arwa explain that is because this is a use that none of us ever had known about. They're not a typical car dealership, and because this use is not listed as an allowable use, it comes as a Special Land Use. So we wanted to make sure that you folks had an understanding of what they were looking for. At this point, we're happy to answer any questions. I think Mr. Adell would probably like to introduce himself so he can just come up and say hi, and then we will be happy to answer any questions from you folks.

Kevin Adell good evening, I am the owner of the property on the corner of Novi Road and I-96. There's my name, Adell. And I wanted to thank you for taking time for reviewing this application. My dad bought the property in 1965 for \$150,000 before this building was here, before City Hall, before everyone was here. And so we love Novi, we appreciate the City and its public safety. So this is a great opportunity for Novi, these are companies that are investing. I drove around today before I got here and I looked at Twelve Oaks, and I see JC Penney and Sears and Toys R Us and those are just leases – these are people that are coming in and investing, they're paying a million dollars per acre. So they're not going to be leaving, it's different when they're a lease at Twelve Oaks and they can just leave.

I am in business, I own the Word Network, the largest African American religious network in the world. I own WADL TV station, and I own 910 AM Superstation. So I am in business, there are no guarantees in business. And so Carvana is experimental, so is Amazon, so is Uber, Lyft. I'd rather take an experimental business than a business like Sears or Denny's – we just passed, Denny's is going out of business. Novi is a great town, they're not going to be leaving. I did a different concept than what's normal. I'm not a developer, I don't go from city to city, I'm in media.

But I do appreciate Novi, this is a once in a lifetime opportunity. If it doesn't get developed now, there's no one in my family that is going to develop it. My daughter is twelve, she's not going to develop it and my wife is not going to develop it, she was just here. So, I'm it. And so I think we put a good plan together. If there's any questions, I'm happy to answer them.

But for years, I looked at many business opportunities. Beaumont approached me, you saw in Crains where Beaumont approached and wanted to pay 25 million dollars. The problem was I would have had to get a Certificate of Need – so if you want to put any type of equipment in, you would have to get a Certificate of Need. And Providence couldn't expand because they were laying off, so medical is laying off. I looked at many opportunities; I looked at a water park, I didn't want to be responsible since I have a daughter and I know that you guys have children. I didn't want to be responsible for two or three deaths per year.

We worked with Blair, Blair went down the street with Suburban Showplace. It's a beautiful facility, we're not competing with Blair. It'll complement Blair, with all the hockey tournaments, soccer tournaments, football tournaments around here. I'd put two hotels that are priced reasonably. I talked to Mark Wahlberg, since I am in the media, about putting Wahlburgers there, so I'm holding one lot. It's online proof; it's not something with brick and mortar where we're going to competing with stores.

Mr. Adell said since I am in business, I've been successful, and I know that this will be a successful project. I'm passionate about it. The reason why I want to do it is it's full circle. My dad bought the property in '65, and it completes me. I want to put something there for them to be proud of as citizens.

It's going to generate three million dollars in tax revenue, I calculated 3.4 in property values. Right now, the City of Novi receives zero tax revenue from that property. This would be a 3.4 million plus. I did a community ascertainment with the Fire Marshal, they need a new fire truck that goes eight stories high. They're buying a new fire truck that only goes six – what do you tell the people at Drury on the seventh floor? So, it's up to the City to do the right thing. I would bring you 3.4 million dollars in tax revenue and I hope you'll do the right thing. It's a benefit, it's a plus, and it's a lot better than what's there right now.

And so I kindly, humbly ask you to approve this project. Don't delay it. If you need to put any conditions in, I'll meet with staff and do whatever it takes. I appreciate Barb McBeth and Tom Schultz and Sri, I've been working with them for a year. And so I've stopped what I've been doing for the radio and TV to do this. And so I have put a lot of time and passion, so I hope you'll consider that. I won't take up any more time. If there's any questions or if the audience has any questions, I'm happy to answer them.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Brian Jones, 119 Charlotte, said everything you heard, to me, is bull. There is a letter that was given to City Council – you guys should have it for the record. If you don't have it, you can get this one, I brought ten here. Kevin Adell has a way of promising and then deception. My music empire was destroyed based off of Kevin Adell's radio advertisement. You guys all know who Herbert Strather is. So when you mix with the devil, you deal with the devil, you get it.

Another thing about this letter, I've been in Novi and built a half a million dollar house here in 2005. I've been out here. It's disgusting to know or hear, where I used to be a part of

910, as I thought, my label and everything. But here, my empire was destroyed because of false advertisement on 910 AM. You guys recently heard the bashing from Steve Neavling, who was terminated from Kevin Adell's station, and he bashed you guys from saying that you guys were taking a kickback. Now, how would you let a guy come out here and develop that just bashed you on the station that, he claims eight or nine million but I think it's two or three – fifty thousand, it's probably thirty thousand watchers.

City Attorney Schultz said we need the comment to be about the land use development.

Mr. Jones said it's about the land. You guys are not going to be deceived and we can go into no further comments because you got bashed, you got accused of taking money and bribes, and then you're going to authorize this guy and he just got done accusing you. That's dealing with the devil. If you guys sign off on that, we'll be at the City Council. Once again, my music empire was destroyed because of this man's antics and he allowed it. He never addressed it, and didn't even address his manager which is African American when he showed up here. That's a shame. And they all know who I am. I'll fight for my city.

Connie Varana, 40535 Village Wood Drive, said I've lived there for over twenty years. The two striking problems I see is the traffic. The traffic exiting off of the expressway, 96, is always backed up whenever it is peak season, shopping season, event season. And also, Novi Road itself can't handle all of the traffic that currently is going on in just an ordinary day. And then you're going to add construction vehicles that are going to be going into this single-entry road for what period of time – until all of those buildings are constructed? And there is supposedly going to be a private road. I'm not quite certain where is that private road exiting, ingressing, egressing? That hasn't really been explained fully, has it? That's all of my comments.

Stanley Neal said I live in Novi and I support the plan for the fact that it brings more revenues to the City, where we could use that money to get street lights and things in our neighborhood. At 5:30 in the morning, especially in the winter time, and kids are walking the street, there's no street lights so that money could be used for that. So I'm for this project, I just wanted to let you know.

Connie Varana said so again, the two hotels that are proposed, I'm wondering what the existing hotels that we have in Novi – how does the capacity or occupancy warrant two additional hotels. I think at one time, the hotel on Novi and Twelve Mile, the Baronette. I mean, wasn't there a problem with not enough occupancy. It was kind of questionable how well it was thriving, so there are my additional comments.

Roslin Fujisaka with DEAF Media, said I think this is an excellent project for the City of Novi. I think you guys should reconsider this kind of project because this is nothing but good. It would be good for the City.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he said I think we have some correspondence.

Member Lynch said yes, we do. The first one is in support from Norayr Shirvanian, 43485 Crescent Boulevard, in support and says as it stands it is an eye sore, the project looks

beautiful. The next is in support from Nevart Torian, 39456 Squire Road, saying I saw a postcard of the proposed project, it looks beautiful – please help it go through. The next is in support, Hasmig Shirvanian, 264 Winslow Circle in Commerce Township, says I love the proposed idea, the project looks and sounds beautiful; it will beautify the area and will bring in more business to Novi, the current site is very ugly. The next is in support, Aeraj Shah, 21883 Dunnabeck Court, saying I support the project that is coming in, make it happen. The next one is support from Erica German Valencia, 24444 Brompton Way in South Lyon, saying I think it will bring more business to Novi and the area, let them build please. And the final one is from Julia Rogers, 24085 Elizabeth Lane, saying the name Adell with its historic connection is good; the design of the project could use adjustments, there is historic nod on Novi Road and this should continue in the area as opposed to more of a Main Street look. There is one from Richard and Suzanne Lorence, 25436 Birchwoods Drive, that says please vote no to Adell proposal. There is no explanation.

City Attorney Schultz said you should probably recognize the letters that were handed out here.

Member Lynch said yes. In support, L. Brooks Patterson – he wants to know when the skydiving simulator is up and running. Andy Meisner, in support. Michael Bouchard, in support. And Joseph Hurshe, in support – he is the one from Ascension Providence Park.

Chair Pehrson closed the public hearing and turned it over to Planning Commission for consideration.

Member Anthony said I guess first, I'd like to start and thank Mr. Adell for being a member of our community for as long as he has. I think what we're looking at is heading in the right direction, it seems logical with what we're doing in that area. There are a lot of pieces that are moving with Novi.

Not related to this project but just to correct one of the public comments, the Baronette is doing well. It's operated by Concord Properties, the largest hotel owner in North America and it's one of their top five performing hotels. And that's here, in Novi.

Now back on this area, when we start to really peel back and look at the details and see if we're ready to move on to the next step, I'm going to start with some questions to our staff. So, in initially going through the drawings, I believe that we were looking initially at a 28-foot wide road and we requested 36 feet. We can see the cooperation of moving to a 36-foot wide road, which I appreciate. The thing that happens with these kinds of tight roads or tight sites that I'm worried about is when we do that, are we still at the same 22 deviations, or do we end up changing that so that we now have some unknowns that are unknown?

Planner Komaragiri said because they widened the road, they eliminated a couple of deviations. One, they asked for a deviation to allow 28-foot wide road which they eliminated. And they were asking for a 50-foot access easement before, which would require a deviation which is now eliminated because they are providing 70 feet in the access easement. And there were a couple of other deviations with regards to the distance of the sidewalk in relation to the curb – that was eliminated.

So like you mentioned, we appreciate that, but at the same time, that addresses some of

the concerns the Engineering staff had, but then it doesn't address the concerns that Planning had with regards to how are the setbacks measured, what are the deviations for setbacks, which are happening internally in the site. Those deviations still remain. The change that is being made to the road did not address the concerns we had for the internal of the site. And then two, they revised the plan but we also are trying to figure out how it affects the rest of the reviews, especially Traffic and Fire, because we need to make sure that some of the shared drives have been eliminated in the revised Concept Plan. We need to make sure that the fire truck can come in and go out of the site easily.

Member Anthony said I'm glad you said that because it leads right into my next questions, which are Traffic and Fire. So really when we look at that last question, what happens is now we end up with sort of a domino effect, where we clean up some areas but we end up with more that we still need to work through or new ones that we need to work through.

Planner Komaragiri said there are questions that we don't have answers to yet.

Member Anthony said yes. So when we look at Traffic, tell me about the traffic study process that will occur for this property.

Planner Komaragiri said I can give you a brief introduction, but I would like Maureen to come and expand on it a little bit if it's ok with you. So the City is undertaking a comprehensive traffic study along Novi Road from Ten Mile to a little bit over Grand River, north of Grand River up to Twelve Mile. So with that in mind, we have taken some potential sites that could be developed with the worst case scenario and taking those trip generation figures to identify mitigation measures that may be required. The current property is one of them, so we requested some trip generation figures from them so that they don't have to do a study, so that we can take those and input them in our study and then come up with recommendations. Maureen may expand on the structure.

Member Anthony said and Maureen, just an example within the City – when Comic-Con is here. Great event, hotels will fill up for that. But you can't even get through an exit, whether it's Beck Road, whether it's Novi Road. Only the locals know the back roads of how to move around the City during that. So tell me what our traffic study will look like.

Traffic Consultant Peters said as Sri alluded to, we've looked at this general area and we know there's potential for several developments to come in within a couple years of each other. So rather than looking at them in silos and saying 'you warrant your own study, you warrant your own study,' let's look at them collectively and see what the overall impact is planned to be. And then once we get those put into our models, we can see what the impacts are and work with county for the signalized intersections along the corridors to see if there's technology upgrades we can make, if there's timing adjustments, things like that. Or if there are other mitigation options that need to come into play – there's not a whole lot of Right-of-Way to expand roads, but how can we do this to make things better.

So we're in the process of plugging all those numbers in right now. And for this particular site we did a preliminary look at the Crescent and Novi Road intersection and because that eastbound approach to Novi Road is not utilized a ton at this point in time, it should be able to handle what Mr. Adell is proposing for this development.

Member Anthony said so if I hear you correctly, what you're saying is that to look at the traffic study, you need to look at the development in its entirety as an aggregate to see its impact on the traffic and then based on that analysis, that will then help the City prepare for what we have to do for infrastructure modifications, what we can do in infrastructure modification for that.

Traffic Consultant Peters said exactly. We will work in accord with Oakland County who operates the traffic signals.

Member Anthony said well we got a letter from Brooks so maybe he can help. So really, we don't know what kind of investment yet as a City in infrastructure we're going to need to do, just on the traffic side.

Traffic Consultant Peters said right, and that's why we put in here that the applicant should have the understanding that they may be required to – we haven't worked out the logistics of this yet – but they might be accountable for some off-site or on-site mitigation measures as a result of this comprehensive study. And what we'll do is we're taking the multiple developments that feed into the study and we'll determine which trips were generated by which developments and then potentially partition out how they can contribute to that mitigation or something along those lines.

Member Anthony said for instance, roads we may need to build, what we may need to do. So a lot of that is a lot of capital that may come from us.

Traffic Consultant Peters said potentially.

Member Anthony said now leading to that is my next question in that we talked about traffic, we talked about fire and fire trucks being able to maneuver around. So with these buildings, do we have the City services already in place that are able to handle fire for these types of buildings or heights of buildings as the variances ask for?

Planner Komaragiri said Fire mentioned that any building that's higher than five stories should meet the high-rise building standards, so that is a building code requirement that the applicant would have to comply to at the time of building permit review.

Member Anthony said and so that is when City Ordinance just automatically kicks in.

Planner Komaragiri said yes.

Member Anthony said ok. And this relates with traffic too – what I was trying to find in the packet, and I think it probably isn't set yet, but do we know the room counts that are proposed so that we have an idea of the amount of traffic that is potential for the development? For instance, so that we know we have right inputs for your traffic models.

Planner Komaragiri said typically, the room count is provided when they are calculating the parking requirements because the parking is one space per each room and then one for each employee. That's what staff was asking in our report, the parking calculations were eliminated so we weren't able to identify how much parking each unit needs and whether it's provided within the lot line or shared over the sites. We were not able to make that determination.

Traffic Consultant Peters said with the trip generation information that was provided, they did provide estimates for room counts. I don't know if those have changed since this was provided in early May or not, but we did have preliminary numbers to work with and base our assumptions on.

Member Anthony said on some of our infrastructure, usually when I see developments they have a second exit egress. What about this development? I see one road, even though it has a section that is a boulevard, that goes in and does an S-curve for the buildings to all have access but I don't see anything additional.

Planner Komaragiri said at the time of pre-application, this topic came up for discussion and then the applicant indicated that they would probably provide a secondary access a little bit west of the water tower to the adjacent property. But that was just based on my recollection of discussion from the pre-application, it wasn't indicated in the current PRO Concept Plan.

Member Anthony said is that water tower active? Is it public or private?

Planner Komaragiri said it is private, it is owned by the applicant. And as far as we are aware, it is not active and there are no indications in the plan about its future potential use, whether it is going to be used for irrigation or anything. It's not active in the sense that the water is not being used for any other purpose.

Member Anthony said ok, I'll wrap up. My view here is that this is exciting; I like what we're beginning to see. It looks like it's in the direction that we want to go. We run a fiscally conservative City, and we balance our budget right along the way that we go. And we went through some hard times – and the young lady with the new car dealership, welcome to Detroit, you haven't hit a recession yet. And I want to make sure that when we look at what our infrastructure is going to be, and what those costs are of that infrastructure, that we're prepared to do it with the timing that we can do it with the budget. And we're almost there, but I just don't feel that we have all of the information yet in order for us to go forward. We're getting there, it looks nice. I'll turn it over to my other Commissioners.

Member Greco said first of all, thank you to Member Anthony for addressing a lot of problems, as usual, that we all have on our mind. Looking at this project, not only does it fit within what is appropriate for there but I do think, in looking at and feeling the enthusiasm from Mr. Adell and his team, there's some really exciting things here. I appreciate Carvana as a new concept, something strange – I think everyone was smiling a little bit looking at the video. Kind of cool, a vending machine. It seems futuristic to me, seems like a cool thing as you're driving on the highway to go by, it's something that might stand out.

Whether or not it survives or not, who knows. It looks like they're expanding. Again, Mr. Adell commented that there are no guarantees in business and sometimes you take some chances, and this one looks like an interesting one for me. The iFly indoor skydiving is another cool thing. And I was going to comment with Dan, I do like the positioning of the buildings and the way they're set up not only for the ingress coming from Novi Road, but also the visual from the highway. And the mix of offerings that are there.

But a couple of things that I noticed from the presentation, the materials provided by the applicant, and of course our staff review – a couple of comments that I have. Number one, the number of deviations and the lack of information that the staff indicates that it needs. One thing that I think is positive from the presentation from the applicant and also from our staff is that it appears that we are talking and trying to resolve these things. I understand that applicant wants to move forward with this project, it's been sitting there for a long time. I understand that, but this seems like information that we would want to have.

Member Greco said and I do have one question of something to our counsel; with respect to the comment that these units or parcels are going to be sold to these individuals – I think it was a good word from Mr. Adell's investment from these individuals, I like that – but there was a comment regarding the individual property owners then are responsible for amending the PRO Agreement on a going forward basis. Is that something that is possible, or is it really the applicant that enters into the agreement with the City – how do the new purchasers become parties to that agreement?

City Attorney Schultz said that's a good question. The agreement, once it's entered in to, is recorded against the property, successor owners, if there's an actual sale of the property and they become investors. We have amended PRO agreements, previous PUD agreements – don't have a PUD anymore, but it happens and it can be done. It's not preferable, as amending the PRO agreement means going all the way back to the beginning of the process starting with public hearings and everything. So I do think the applicant is hoping that the PRO Agreement that is entered into allows future deviations without coming back through the process but those are things that will be need to be worked out when the agreement is entered into, if it is and if Council approves.

Member Greco said and I understand from Mr. LeClair's comments that the applicant is rightfully trying to work in the deviations and give some room, so that these businesses have some room to work with the City to come in.

One of the other things that I thought was interesting from the reviews and comments was the way the layout and the setup is, and again I think it is set up nicely the way the buildings are positioned. But the issue of being more pedestrian-friendly was something that stuck out to me. Because we've got this site that is going to be slightly isolated with one road going in, but the way I pictured it – especially with the mix of uses that are there, whether it's the restaurants, the hotels, and the skydiving. I envision going in there and hanging out for a little bit. If I'm staying at the hotel, I want to be able to walk to the restaurants, walk to the sky dive. Or if I want to go to the sky dive, I don't know if it's appropriate to eat before you go skydiving but maybe after, you go have a couple beers, but being able to park at the skydive, park in one place and feeling comfortable about walking around to the different things that are there.

And I think the location of the Planet Fitness, as I was first thinking about it I was thinking that it is a crowded area – with people working out in a private club, do they want to go up to that area? But people work out not necessarily during peak times and it's probably a good stop on the way or coming home from work to work out. So I thought that was kind of cool, as well.

Member Greco said so generally speaking, I like the concept, I think it's very exciting, I'm in favor of the kind of unique things that are there with the iFly and the Carvana and the location and using the space. I would like to see the applicant and staff come more together, get more information to the staff, because that's my bigger concern is the issues regarding questions and information. Once we have that, then we can sit down and say ok look these are the deviations that can't be dealt with, these are the deviations that can't be resolved, and then we have a decision to make. It seems to me right now that we don't, although I appreciate that we want to move along with this, I think we all do because it's been sitting there for quite a while. Thank you.

Member Avdoulos said I appreciate the comments from Commissioner Anthony and Commissioner Greco, I think they dove into some details. I want to pull out a little bit; we have a site that's zoned EXPO and it's being proposed to be rezoned TC. And along with that, the layout of the site is being proposed as a site condominium development. And I don't know, in the other TC site areas that we have, how is that layout typically set up? Is it a developer having the large piece of property and developing the pieces or have site developments come in like this where they're site condos?

Planner Komaragiri said I think this is unique. We typically see site condos associated with I-1 districts or residential districts, but for site condo in TC as far as my experience goes, this is a first time. Most of the developments within TC are individual sites being developed by the owner or a developer.

Member Anthony said so a question to the owner, are the users of this site guaranteed?

Mr. Adell said I have purchase agreements with all of these sites, so they're actually PA's. They're investing, they're buying, they're here tonight and all flew from all parts of the country to invest in Novi. They're not leases, they're not walking away; they've got real skin in the game in business. So we're going to make it work, they're all national companies. I took an hour to drive around today, and I see a lot of local companies. These are national footprints. Like Carvana, I must see their ads all the time, I'm in the media. And their ads are on all the time, they're going to make it, I'll tell you. Same thing with iFly.

Member Avdoulos said and then what do you think the timing of construction is? Would one start, or would it be multiple going on at the same time?

Mr. Adell said they've all told me today, as soon as I go for approval, I'm going to go for a permit to remove the cement from the existing 300,000 square foot building, put the road in, and I suspect some of them will start right away before winter. Everyone wants to get this site developed, it's been sitting there since 2005 and it's a trainwreck, it's an eyesore, it's not my fault. Here I have a great opportunity, I'm successful in business, I'm going to make sure it's successful. My name's on the water tower, I'm not going to let this fail. And so every person here that you see on this screen is here, from iFly to Carvana to Marriot to Drury. They all flew in on their planes, they're all here.

Member Avdoulos said the reason that I ask is I think we're going back to what Commissioner Greco said and I think what Commissioner Anthony alluded to is we have a site, we have site condos, we have a building on the site, we're getting all of these deviations because of the configuration and size of the building. And then we're being

asked to make a recommendation to approve with all of these deviations. And then when each user comes in as an applicant for their own site plan approval process, so they're going to have to go through preliminary site plan approval, through final site plan approval, and that's where the issue comes. If there's deviations based on final design, we're right now looking at a concept and then we have to go back and look at another variance and another this and another that, which I absolutely hate doing. I like to work within the boundaries of the Zoning Ordinance and then if there are adjustments to be made, then we typically can do that. I just wanted to understand that because those are some of the questions that I think staff had.

The other one is that I do echo that if we're looking at wanting to have this rezoned to TC, Town Center, and I'd like to see this development have the spirit of Town Center, where we're looking to achieve some of the elements of it, where it is more pedestrian-oriented, there is more shared parking. I don't know if a different orientation could be made where you could get the elements closer or adjust some of the parking to allow for pedestrian access to these places. But again, I think you alluded to it where it's TC, but we're using an industrial park layout. So it's not working in that manner.

The Carvana – I have seen this in Dallas. I have one question for the young lady if you would. In other municipalities that this building has come forward, how has that been seen or what kind of use have they applied it to? And it's all over the United States, so I'm sure it's different but what do you see as the most average type of use that's been used?

Ms. Lulu said Sri and I had this conversation briefly. In other jurisdictions, because they operate a little bit differently, we've either been permitted by right or rezoned into that property. We are typically seen as an auto sales facility, so we conduct businesses on auto sales property. So when we're going into a jurisdiction and having our pre-application meetings, telling them what Carvana does – because we do sell cars online and we're selling cars to customers – they do classify us as car sales. So that is what we have seen in a lot of the jurisdictions. And all jurisdictions have worked with us to figure out what our path forward to development would be.

Member Avdoulos said so car sales? Are they used cars?

Ms. Lulu said they're all used cars, I should have said that earlier.

Member Avdoulos said I think it was indicated in the write-up. Alright, that answers my question there. I think, as we all have seen, the questions and concerns from staff are quite many. We've got a lot from engineering. The question I had related to Fire, they indicated they needed more information, but I guess the other question is the exiting and the other one is the cul-de-sac turnaround. I'm assuming that would be able to handle the largest truck going in and make the turn. And I don't know if that's been shown and if the Fire Department has looked at that.

Planner Komaragiri said the applicant did provide a circulation plan that shows the turnaround patterns for the fire truck, but Traffic has asked for additional information as to what would be the largest truck accessing the site. The one that we are aware of is Carvana, as they indicated in their narrative, will have a truck that trailers nine cars to their property. We don't know how big that truck is, whether it would be able to maneuver properly within the site. And we know that the hotels may have some loading deliveries

that happen, we don't know how big those trucks are, whether they are smaller than a fire truck or bigger than a fire truck. So, in summary, we've looked at whether a fire truck could access the site, but not any other potential loading trucks.

Member Anthony said and the issue with the traffic concerns – that was a big question for me not as much on the site itself, but as to what the City had to deal with. The updates to some of the deviations – I think it's great that the applicant is working with the City on that, but as the Planning Commission haven't had an update to look at what that is or what it means yet, so that's a big concern. The other concern I had is with Unit 4 acting as the open space and it has parking and a gazebo but it's also set up as a site condominium lot, so in the future it could be used as an out lot and be developed, and what happens to our fifteen percent open space within the TC Ordinance?

Planner Komaragiri said I would like to clarify one thing. They were using the area south of the red line – the exhibit to the bottom right – they are using that area which is shaded in gray. That counted towards the open space calculation.

Member Avdoulos said what is it?

Planner Komaragiri said it's regulated woodlands and wetlands. And they provided a pedestrian connection from Unit 4 into that, so that was one of staff's comments that it doesn't meet the intent of usable open space. They are providing a trail, but we don't know what the limits of access are.

Member Avdoulos said you can't really enjoy a wetland unless you have waders and like muck. So that again, within the spirit of the TC Ordinance, that piece was missing. Like it's been indicated, I think this is going in the right direction. There's many concerns on making sure that staff is comfortable with what they're looking at and what they're recommending to us so that we can recommend approval.

And every time I think of TC, the Town Center, I think we've got a good start to something here in Novi. The best example I've seen of a Town Center is in Easton, Ohio so by Columbus, Ohio where they've really incorporated a pedestrian type of development and all of the parking is around the periphery, everything is internal. So I think the applicant may look to work with the staff to see how we can better align with what the TC Ordinance requires. Those are my comments.

Member Maday said first of all, I just want to say I love the idea; I love the cutting edge thinking that's going on. I think it will be a great addition to Novi when the details are worked out, but I think there are a lot of details that need to be worked out. Obviously I agree with pretty much everything that was brought up tonight in that I have the same types of concerns – the traffic, the infrastructure. You hear that from Novi residents, we're always concerned about that and from a fiscally conservative government we want to make sure we're on top of that. I do think I would love to see a little bit more of that Town Center feel; in Novi, that would be a great addition. I'm excited to see where this heads.

Member Lynch said I'm not going to repeat everything, but one thing I did want to bring up is it's beautiful, the concept is just an opportunity to be iconic. I hope we leave the Adell water tower in there, it's something that everyone knows where it's at and that doesn't bother me. I do like the idea of the hotels; the only thing that I didn't clarify was –

and I don't have a problem with Carvana being seven stories because nobody would be up there anyway – but the Drury I think is 85 feet and it's my understanding that we can go 55 feet, but then there is some international standard, something in here that says if they put the sprinkler systems in – can you explain exactly what that means?

City Planner McBeth said I believe it's covered in the Fire Marshal's memo, there are certain building code standards that would need to be met. That wouldn't typically be something that the Planning Commission or City Council would grant a deviation from.

Member Lynch said ok, so the more stringent building code means the City wouldn't have to kick in a million bucks or so to buy another fire truck is what you're saying.

Chair Pehrson said we're already buying the fire truck.

Member Lynch said ok, other than that I do like this plan. I think you guys did a lot of work and there seems to be a little bit of uncertainty – I'm looking at these deviations and it seems like there's a million of them, but they're not insurmountable. My opinion is that these are not insurmountable. I think the flow of information has happened so fast and furiously that right now we don't have enough information to make an informed decision and I'd like to give them a little bit of time.

I personally think that we're close. But I do like it, I think you did a great job. I think that it is an opportunity to be iconic; I can't think of any other way to describe it. As far as the Carvana thing goes, I have no issue with it. Thank you for working with staff, and I know that you're drinking through a fire hose right now with all of the changes that are coming from here, but I really don't think that we're that far away.

Chair Pehrson said Maureen, so you were speaking about the traffic study – from a timing standpoint, when do you anticipate that traffic study to be complete?

Traffic Consultant Peters said so we are putting all of the information together and we will meet with the City and the County, and then probably work with the legal department within the City to determine how those stipulations can be placed on the applicants to kick in funds or however that is going to be handled for the mitigation. In terms of a timeline, we are probably a couple weeks out from being able to have that conversation with the preliminary results and then we can start to fine tune from there based on what the County and City's feedback is. I would say within the next month or two we would have direction from that.

Chair Pehrson said so my comments echo what I've heard from other Planning Commission members. This is a great site; this is the jewel, if you will, of Novi that everyone sees and to have it now finally bear some fruit and make it look like it's going to be the jewel that it should be for Novi, I think you've done an exceptional job laying out the site and putting things together. I've been to a Carvana facility, I haven't been able to put a coin into it to get my car yet, but I have no problem with that. No one would have thought that the internet would actually take off.

My only concern is, and I think you've heard it several times over and I hope we can address the issues relative to deviations that you're trying to look for and to give a little bit of positive feedback to those that are here from the Drury and Marriott and Carvana. I

don't think you're looking at a panel that is objecting to anything that is being proposed at this point in time. I think what we're having issues with right now is just since May, since this became available to the Planning Department, to now July which is the first time it has come before this Commission, we don't have enough requisite information to make the decisions that I know you want us to make and I think we are all looking very positively toward making those decisions.

But I think we still have to go back to not the drawing board itself, but I think we have to go back and look at those deviations, work with the individual owners of the facilities to put more definition to the deviations. We're used to dealing with deviations, typically we don't like a bunch of deviations but given that this is a unique set of circumstances and that it's going to be a Northern Equities kind of site condominium thing, where now with this we're probably further ahead in the game than we've ever been with Northern Equities – not bashing them, but we actually have renderings, we know where things are going to go, we have a preliminary site plan to look at things. That's wonderful, you've done a wonderful job at arming us with some information; we're asking for more information so that we can go forward and move this along. Those are my comments. Does anyone else have comments to share?

Member Greco said I'd like to make a motion. I've carefully read what's in the motion sheet and I incorporate into my motion items 1 through 11.

Motion made by Member Greco and seconded by Member Avdoulos.

Member Avdoulos said I have a question to Sri and Barb. We had made some comments related to the project following the elements of the TC Ordinance related to pedestrian and shared parking, is that included in this language?

Planner Komaragiri said parking was definitely.

Chair Pehrson said so if we might add that as a friendly amendment for pedestrian and shared parking.

Member Greco said I will accept the friendly amendment.

Chair Pehrson said that will be added to the motion.

**ROLL CALL VOTE TO POSTPONE MAKING A RECOMMENDATION OF THE PROPOSED PRO AND CONCEPT PLAN MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.**

**In the matter request of Orville Properties, L.L.C. for the Adell Center, JZ18-24 with Zoning Map Amendment 18.724, a motion to postpone making a recommendation on the proposed PRO and Concept Plan to allow the applicant time to provide additional information and to allow the City staff and consultants, and the Planning Commission, to evaluate all aspects of the Concept Plan as proposed. This recommendation is made for the following reasons:**

- 1. Additional information is required regarding parking. The applicant's materials refer to a shared parking study, but no such study has been provided for review by the staff and consultants or the Planning Commission. In addition, at this time, the**

materials provided by the applicant do not include information regarding the minimum number of spaces that are required by ordinance to be provided, and the number provided per each proposed use or site, so that the City staff and consultants and Planning Commission can determine the nature and extent of the variance or deviation requested as part of the PRO. Information that the City normally would have includes things such as parking counts per use or site based, for example, on the number of hotel rooms and amount of banquet space (for the hotel uses) and/or the number of seats or employees for the restaurants proposed. The materials and documentation provided so far is insufficient for the review required.

2. The staff and the Planning Commission require more information regarding the effect of widening the pavement for the roadway, as recently proposed by the applicant (such as a revised concept plan with updated lot lines, setbacks, greenbelt, conceptual parking lot layout, etc.), from 30 feet to 36 feet, which may result in different/additional variances or deviations as described in the planning staff's memo.
3. If the road is not widened from 30 feet to 36 feet, the City staff and consultants have asked for additional information as described in the planning staff's memo.
4. Information regarding the use of the water tower, if any, as part of the development has not been provided.
5. Additional information is required with regard to the proposed uses for Unit 4; more specifically, if the uses are more intense than simply parking they may require additional improvements (e.g., a turn lane), and additional trip generation information may be required.
6. The City's facade consultant has requested additional information regarding certain of the uses as described in the façade review letter.
7. Additional information is required regarding sign packages for certain of the uses, in particular Carvana and I Fly, which have not been completed and submitted in the required format with all required information.
8. The City's traffic consultant and City Engineer have not resolved the speed limit on the roadway, which may affect the driveway spacing between Units 3 and 4, and between Units 2 and 3.
9. The location and exact description of the 15% open space needs to be clarified; the trails referred to need to be shown, and the effects on woodlands as described in the woodland consultant's letter must also be clarified.
10. The applicant is encouraged to address and/or reduce the number of deviations required and provide information showing how each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and would be consistent with the Master Plan and the surrounding area.
11. The applicant should have the opportunity to clarify if any PRO conditions are being offered under the PRO provisions of the Zoning Ordinance.
12. The applicant should incorporate more elements of the Town Center (TC) District relative to pedestrian walkability and shared parking in order to comply more with the TC District requirements and guidelines.

*Motion carried 6-0.*

**4. UNLISTED USE DETERMINATION FOR CARVANA AS 'VENDING MACHINE FULFILLMENT CENTER'**

Consideration of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District.

Motion made by Member Greco and seconded by Member Avdoulos.

**ROLL CALL VOTE TO POSTPONE MAKING A RECOMMENDATION OF THE UNLISTED USE MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.**

**In the matter of Unlisted Use Determination, postpone the recommendation to City Council to allow Carvana, 'Vending Machine Fulfillment Center' as the described unlisted use, as an appropriate use subject to Special Land Use Conditions in Town Center District based on the following motion:**

- a. To allow continued discussion of this item at the same time as action on the proposed Adell Center PRO;
- b. To allow for staff to consider the appropriateness of the proposed use all locations within Town Center District;
- c. To allow for applicant to provide alternate plans to repurpose the building for other uses if the use of 'Vending Machine Fulfillment Center' eventually becomes outdated.

*Motion carried 6-0.*

**MATTERS FOR CONSIDERATION**

There were no matters for consideration.

**SUPPLEMENTAL ISSUES**

There were no supplemental issues.

**AUDIENCE PARTICIPATION**

Dorothy Duchesneau, 125 Henning, said I'm just going to address an elephant in the room, at least as far as I'm concerned. You've got Novi Road, you've got Crescent Road, and it seems like you've got the road that dead ends and doesn't go anywhere. With the Town Center proposal for this, will Crescent Boulevard ever make it down to Grand River? And when it does, will it meet up with Flint Street on the south that is being worked on now, so that we finally do get our ring road? And trust me, I've tried to find on the City website where there is an answer to that. And your search engine sucks.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Avdoulos.

**VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to adjourn the July 11, 2018 Planning Commission meeting. *Motion carried 6-0.***

The meeting was adjourned at 9:45 PM.